

TRAVIS COUNTY.

Austin—Thomas H. Wheless, J. W. Hewlett, P. G. Garrison, D. B. Gracy, W. von Rosenberg, jr., A. S. Houston, T. A. Thomas, A. H. Graham, S. G. Sneed, Osceola Archer, C. F. Hill, W. D. Williams, A. B. Langerman, R. C. Shelley, J. K. Donnan, G. W. Patterson, J. B. Davis, Wm. F. North, W. W. Wood, J. R. Hamilton, Frank Covert, T. F. Purnell, J. M. Thornton, Dennis Corwin, T. H. Wheelles, J. D. Sheeks, J. R. Lawrence, J. W. Lawrence, H. W. Dodge, jr., P. DeCordova, D. M. Wilson, Reuben W. Ford, F. Ficet, R. G. West, H. L. Haynes, A. von Rosenberg, J. W. Hewlett, J. S. Myrick, R. C. Walker, H. E. Shelley, L. M. Crooker, C. M. Burt, E. M. Bacon, R. H. Hanna, Fred Carlton, Robert Johnson, John W. Phillips, A. S. Burleson, Charles H. Powell, John R. Peel, August Grelson, D. C. Sandel, C. A. Newning, John Dowell.

Manchaca—Willie Studer.

Cedar Valley—C. E. Bose.

Garfield—A. O. Doty, A. S. Houston.

Anderson Mill—A. J. Stanford.

VAN ZANDT COUNTY.

Wills Point—R. E. Yantis, W. L. Haynes, S. C. Wright, R. A. Dean.

Grand Saline—J. J. Ramsey.

Darnell—W. J. Fisher.

Canton—R. B. Whitton.

VAN ZANDT COUNTY.

Canton—T. R. Yantis, F. G. Hulse, W. Manning.

Wills Point—J. G. Russell, W. L. Haynes, J. G. Kearby.

Grand Saline—J. J. Ramsey, J. C. Austin.

Owlit Green—D. M. N. McPhail, W. W. Peel.

Prairieville—J. N. Fields.

Walton—J. A. Bailey.

Edgewood—B. F. Eleazer.

WOOD COUNTY.

Hawkins—R. D. Stapler.

WISE COUNTY.

Alvord—S. G. Leslie.

Shidell—R. J. Battle.

WALKER COUNTY.

Huntsville—John S. Besser.

Senator Armistead moved to ad-

journ till Monday morning 10 o'clock. Senator Burges moved to adjourn till 2:30 p. m.

The longer time being put first,

The Senate adjourned till 10 o'clock Monday morning.

FORTY-FIFTH DAY.

SENATE CHAMBER,
AUSTIN, March 4, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

No quorum present.

The Sargeant-at-Arms was dispatched to bring in the absent Senators.

Senator Lane was announced at the door, which completed the quorum.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Stephens,

The reading of the Journal of Saturday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Seale:

Petition of seventy-six citizens of Orange county, opposing the passage of the railroad commission bill.

Referred to Committee on Internal Improvements.

Petition of fifty-six citizens of Jasper county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of twenty-one citizens of Seneca, Tyler county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of forty-one citizens of Newton county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of Beaumont Iron Works, Beaumont Ice, Light and Refrigerator Company, Texas, Tram and Lumber Company, Village Mills Company, Beaumont Lumber Company, Nona Mills Company, Reliance Lumber Company and forty-three citizens of Jefferson county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of forty-three citizens of Warren, Tyler county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of thirty-one citizens of Polk county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of fifty-two citizens of Liberty county favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Johnson:

Petition of one hundred and ten merchants and business men of Sherman, favoring a railroad commission.

Referred to Committee on Internal Improvements.

Petition of citizens of Welborne, Brazos county, asking for the passage of laws for the regulation of freight charges on railroads in Texas.

Referred to Committee on Internal Improvements.

By Senator Woodward:

Petition of forty-two citizens of Victoria county, composed of farmers, mechanics, stockraisers, merchants, bankers and brokers, protesting against the passage of a railway commission bill.

Referred to the Committee on Internal Improvements.

Petition of twenty-five citizens of Goliad county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Lane:

Petition of citizens of Bastrop county favoring a railroad commission, and one opposing.

Referred to Committee on Internal Improvements.

By Senator Burney:

Petition of forty citizens of Mason county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

Petition of citizens and business firms of San Antonio, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of one hundred and fifty citizens within the proposed territory of Coke county, favoring the creation of the new county of Coke.

Referred to the committee of Counties and County Boundaries.

By Senator Frank:

Petition of forty-five citizens of Erath county and twelve citizens of Bosque county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of thirty-one voters of Somervell county, and citizens of Hood county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Jarvis:

Petition of citizens of Parker county, opposing, and of eighteen citizens of Tarrant county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Allen:

Petition of citizens of Denton county, favoring a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Stephens:

Three petitions, two from citizens of Wilbarger and one from citizens of Hardeman county, praying for the passage of the excess school land survey bill.

By Senator Cranford:

Petition of one hundred and eleven citizens, merchants, business men and farmers, of Hunt county, asking relief against the present freight rates charged by railroads.

Referred to Committee on Internal Improvements.

Petition of citizens of Hopkins county, asking the passage of laws prohibiting the mortgage of property exempt from forced sale.

Referred to Judiciary Committee No. 1.

By Senator Tyler:

Petition of sixteen lumber dealers and merchants of Hico, Hamilton county, asking careful consideration of the railroad commission bill before passing it.

Referred to Committee on Internal Improvements.

By Senator Morris:

A letter from D. M. McKnight, opposing a railroad commission and the

extravagant cost of the statistical reports.

Referred to Committee on Internal Improvements.

By Senator Ingram:

Petition of citizens of Shelby county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Stephens:

Petition of eighty-eight citizens of Eastland county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Morris:

Petition of citizens of Van Zandt county, favoring a bill creating a State Board of Health.

Referred to Committee on Public Health.

REPORTS OF STANDING COMMITTEES.

By Senator Cranford:

COMMITTEE ROOM,
AUSTIN, March 3, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 195, being "An act to amend article 122 of the Revised Civil Statutes as amended by an act approved April 14, 1883, and to amend article 130a, added to the Revised Statutes by said act,

And find the same correctly engrossed

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 3, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 247, being "An act to notify and confirm the title of the Gulf, Colorado and Santa Fe Railroad Company, to the Central and Montgomery Railroad, and to the Chicago, Texas and Mexican Central Railroad, and to all property of the companies which constitute said roads, and to authorize the said Gulf, Colorado and Santa Fe Railroad Company to own

and operate said roads under its charter,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 2, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate concurrent resolution No. 11, being "An act requesting members of Congress from the State of Texas to oppose the passage of the Blair bill, pending in Congress of the United States,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 2, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 208, being "An act to require all railroad companies to keep and maintain permanently their general offices within the State of Texas, at certain places, and to keep all books, accounts, etc., at said offices, and to keep and maintain their machine shops or round houses, or either, at such place or places, they may have contracted for, a valuable consideration to keep them and to provide penalties for failing to comply therewith,

And find the same correctly engrossed.

CRANFORD,
Chairman.

BILLS AND RESOLUTIONS.

By Senator Tyler:

A bill to be entitled "An act for the relief of holders of ex-Confederate land certificates, and to authorize patents thereon in certain cases.

Referred to Committee on Public Lands.

On motion of Senator Burney the regular order of business was suspended to take up

Senate bill No. 252, a bill to be entitled "An act supplemental to an act for the relief of Erastus Smith, approved November 11, 1836."

The bill was laid before the Senate

and read the second time with a favorable committee report.

The bill was ordered engrossed.

On motion of Senator Frank, the regular order of business was suspended to take up

House bill No. 310, a bill to be entitled "An act for the relief of settlers upon the Milam county school lands, located in Hood county, and to make an appropriation therefor."

The bill was laid before the Senate and read the second time, with a favorable committee report.

Senator Jarvis explained the object of the bill.

Senator Frank moved to amend the bill by adding thereto section 3, as follows:

Section 3. The near approach of the end of the present session of the Legislature and the great probability that this bill will not be reached on the regular call of business before the end of the same, creates an emergency and an imperative public necessity exists requiring the suspension of the constitutional rule requiring bills to be read on three several days be suspended, and said rule is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Adopted.

Senator Stephens spoke in favor of the passage of the bill.

The bill passed to its third reading.

On motion of Senator Frank,

The constitutional rule was suspended to place the bill on its third reading and final passage by the following vote:

YEAS—24

Abercrombie,	Jarvis,
Allen,	Johnson,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	Morris,
Burney,	Pope,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Stephens,
Field,	Tyler,
Frank,	Upshaw,
Ingram,	Woodward.

NAYS—None.

ABSENT—3.

Glasscock,	Townsend.
Sims,	

Senator Jarvis asked to be excused

from voting on the passage of the bill.

The bill was read the third time and

Passed by the following vote:

YEAS—26.

Abercrombie,	Johnson,
Allen,	Lane,
Armistead,	Maetze,
Atlee,	Morris,
Burges,	Pope,
Burney,	Seale,
Claiborne,	Simkins,
Cranford,	Stephens,
Davis,	Tyler,
Field,	Upshaw,
Frank,	Woodward.
Ingram,	

NAYS—None.

ABSENT—4.

Glasscock,	Townsend.
Sims,	

Senator Lane called up Senator Kimbrough's motion to reconsider the vote by which

Substitute Senate bill No. 183, a bill to be entitled "An act to enable the Senate to comply with the terms of its contract for building of the new State Capitol, in issuing patents to the Capitol contractor, and to refund certain moneys to the said contractor, which he has paid for patentees to the Commissioner of the General Land Office,"

Was ordered engrossed.

The motion to reconsider was lost.

Senators Burney and Frank spoke in opposition to the passage of the bill, and

Senators Burges, Abercrombie and Lane spoke in favor of the bill.

The bill was read the third time and Passed by the following vote:

YEAS—17.

Abercrombie,	Maetze,
Armistead,	Morris,
Atlee,	Pope,
Burges,	Seale,
Cranford,	Stephens,
Field,	Tyler,
Ingram,	Upshaw,
Jarvis,	Woodward.
Lane,	

NAYS—7.

Allen,	Frank,
Burney,	Johnson,
Claiborne,	Simkins.
Davis,	

ABSENT—3.

Glasscock, Townsend.
Sims,

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, March 4, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the House has passed the following bills:

House bill No. 463, a bill to be entitled "An act to amend an act entitled an act to amend section 13 of an act to amend section 13 of an act to redistrict the State into judicial districts, and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Monday in November, 1884, approved March 31, 1885."

Under a suspension of the constitutional rule and by a two-thirds vote, there being 83 yeas and no nays.

Substitute House bill No. 355, a bill to be entitled "An act to amend an act entitled an act to amend section 16 of an act entitled an act to redistrict the State of Texas into judicial districts and fixing the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 30, 1887."

W. M. IMBODEN,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, March 4, 1889.

Hon. T. B. Wheeler, President of the Senate

SIR—The House has passed the following bills, to wit:

Senate bill No. 260, entitled "An act to amend section 26, chapter 20, of the called session of the Eighteenth Legislature, being an act to redistrict the State of Texas into judicial districts, and to fix the time for holding court therein, and to provide for the election of judges and district attorneys in said bills,"

Under a suspension of the constitutional rule and by a two-third vote, there being 90 ayes, no nays.

Senate bill No. 259, a bill to be en-

titled "An act to incorporate the city of Dallas, and to grant it a new charter,"

With House amendments, under a suspension of constitutional rule and by a two-third vote; yeas 86, nays 0.

W. M. IMBODEN,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, March 4, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the House has refused to concur in the Senate substitute for

House bill No. 33, "An act to be entitled an act to amend article 683, chapter 3, title 17 of the Penal Code of the State of Texas and an act of the Seventeenth Legislature of the State of Texas, approved March 5, 1881, relating to malicious mischief, and providing a penalty therefor," and asks for a conference committee on the differences between the two houses.

W. M. IMBODEN,
Chief Clerk House of Representatives

Senate bill No. 195, a bill to be entitled "An act to amend article 122 of the Revised Civil Statutes as amended by an act approved April 14, 1883, and to amend article 130a added to the Revised Statutes by said act," was laid before the Senate,

Read the third time and
Passed by the following vote:

YEAS—26.

Abercrombie,	Jarvis,
Allen,	Johnson,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	Morris,
Burney,	Seale,
Claiborne,	Simkins,
Cranford,	Stephens,
Davis,	Tyler,
Field,	Upshaw,
Frank,	Woodward.
Ingram,	

NAYS—None.

NAYS—4.

Glasscock,	Sims,
Pope,	Townsend,

The President referred House bill No. 463 and Substitute House bill No. 355 to the Committee on Judicial Districts.

Senator Tyler called up his motion

to reconsider the vote by which Senate bill No. 266, a bill to be entitled "An act to provide the manner of assessing and collecting a tax on property in newly created counties and in territory cut off from one county and attached to another county, to pay their pro rata share of the indebtedness of the parent county existing at the time of the severance of a part of its territory," was ordered engrossed.

The vote was reconsidered.

Senator Tyler moved to substitute for section 1 of the printed bill:

Section 1. When any new county has heretofore been or may hereafter be created wholly and entirely out of any existing county, the new county shall bear and pay its pro rata portion of the indebtedness of the county from which it was taken, which indebtedness shall be estimated and apportioned upon the basis set forth in section 2 of this act.

Adopted.

Senator Burney moved to add:

Section 6. The near approach of the close of the present session of the Legislature and the great number of bills to be considered renders it impracticable to read this bill on three several days, therefore an emergency exists requiring the suspension of the constitutional rule requiring bills to be read on three several days and such rule is hereby suspended.

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Burney,

The constitutional rule was suspended to put the bill on its third reading and final passage, by the following vote:

YEAS—24.

Abercrombie,	Jarvis,
Allen,	Johnson,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	Morris,
Burney,	Pope,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Stephens,
Field,	Tyler,
Frank,	Upshaw,
Ingram,	Woodward.

NAYS—None.

ABSENT—3.

Glasscock,	Townsend.
Sims,	

The bill was read the third time and passed.

On motion of Senator Seale the regular order was suspended to take up out of its order.

Senate bill No. 316, a bill to be entitled "An act to amend an act, passed by the Twentieth Legislature of the State of Texas at its regular session, approved April 2, 1887, entitled an act to amend an act, passed at the regular session of the Eighteenth Legislature and approved April 18, 1883, entitled an act to amend article 430 of section 1, and to repeal section 2 of an act entitled an act to amend articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create 426 1-2, and to repeal article 430 of chapter 5, title 13 of the Penal Code of the Revised Statutes for the protection of fish and game, approved March 15, 1881."

The bill was laid before the Senate and read the second time.

Senator Seale moved to

Amend by adding section as follows:

"The near approach of the close of the present session of the Legislature creates an important public necessity and emergency that the constitutional rule requiring bills to be read on three several days be suspended, and that this act go into effect from and after its passage, and it is so enacted."

Adopted.

Senator Armistead moved to

Amend by adding Marion county to list of exempt counties.

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Seale,

The constitutional rule was suspended to put the bill on its third reading and final passage by the following vote:

YEAS—24.

Abercrombie,	Jarvis,
Allen,	Johnson,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	Morris,
Burney,	Pope,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Stephens,
Field,	Tyler,
Frank,	Upshaw.
Ingram,	Woodward.

NAYS—None.

ABSENT—3.

Glasscock,
Sims,

Townsend,

The bill was read the third time and passed.

On motion of Senator Stephens, the regular order of business was suspended to take up

Senate bill No. 167, a bill to be entitled "An act to provide for setting apart the excess in surveys of lands made for railway or internal improvement or other purposes, and declaring the same to be a part of the public free school lands of the State, and to provide for setting apart the same for the use of public free schools of the State."

The bill was laid before the Senate and read the second time with a committee amendment.

The committee amendment was adopted.

Senator Stephens offered the following amendment:

Strike out all but caption, and substitute as follows:

[Section 1. Be it enacted by the Legislature of the State of Texas, That all surveys and blocks of surveys heretofore made by virtue of valid alternate scrip, be and the same are hereby declared to segregate from the mass of public domain all the land embraced in said surveys or blocks of surveys, as evidenced by corners and lines of same, or by calls for natural or artificial objects, or the calls for the corners and boundaries of other surveys, or by the maps and other records in the General Land Office.

Section 2. That all corners in said surveys or blocks of surveys are hereby donated and declared to belong to the public free school fund of the State, and it shall be the duty of the Commissioner of the General Land Office to ascertain by any and all means practicable the existence and extent of such excesses, and to provide for and direct such surveys, or corrected surveys, as may be necessary for this purpose; provided, that where such surveys were made in blocks of two or more surveys, said respective surveys shall remain on the ground consecutively, as placed therein, as shown by the maps, sketches and field notes originally returned to the General Land Office.

Section 3. That all such surveys, which under the direction of the Commissioner of the General Land Office,

have been, or may be hereafter corrected, so that all excesses in the original surveys shall be placed in the surveys belonging to the public free schools, are hereby validated, and the action of the Commissioner is hereby ratified; and he is directed and authorized to issue patents to the owners thereof and to sell such surveys belonging to the public free schools, securing to the State the benefit of such excesses.

Section 4. That the provisions of this act shall not apply to nor affect the rights of third persons heretofore acquired in good faith.

Section 5. Whereas, There is much confusion and uncertainty in regard to certain lands surveyed in this State, and the rights of actual settlers and purchasers are dependent upon the validity of such surveys, creates an emergency and imperative public necessity authorizing the suspension of the constitutional rule requiring bills to be read on three several days and demanding that this act take effect and be in force from and after its passage, and it is so enacted.

Adopted.

Senator Burney moved to

Add section 5, "Provided, That nothing in this act shall apply to any lands for which patents have been issued."

Adopted.

Senator Maetze moved to table the bill subject to call, and have it printed as amended.

Adopted.

On motion of Senator Tyler,

Senator Glasscock was excused till to-morrow, on account of important business.

On motion of Senator Jarvis,

Senator Harrison was excused until to-morrow, on account of sickness.

On motion of Senator Jarvis,

Senate bill No. 123, the general appropriation bill, was made the special order for next Wednesday, and to be continued from day to day until disposed of.

Senator Lane moved to suspend the regular order of business and take up the unfinished special order, the railroad commission bill.

Adopted.

(Senator Burges in the chair.)

Senator Ingram made a speech in opposition to the passage of the railway commission bill.

Senator Pope moved so adjourn till 2:30 p. m., and that Senator Claiborne

be allowed the floor when the Senate met to discuss the pending question.

Adopted, and

The Senate adjourned till 2:30 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Roll called.

No quorum present.

Senator Pope moved a call of the Senate.

Roll called and Senators Burges, Davis, Johnson, Simkins, Sims and Tyler were found to be absent.

The Sergeant-at-Arms was dispatched to bring in the absent Senators.

Senators Burges and Davis were announced at the door.

The President announced a quorum present.

Senator Frank moved to suspend the call of the Senate.

Adopted.

Call suspended.

The President announced that Senator Claiborne had the floor to discuss the pending question, the railway commission bill.

Senator Claiborne yielded the floor and

Senator Frank moved to excuse Senator Kimbrough till to-morrow, on account of important business.

Adopted.

On motion of Senator Frank,

Senator Sims was excused until Monday, on account of important business.

By leave Senator Burney sent up a bill, the caption of which is as follows:

A bill to be entitled "An act to amend section 17 of an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3, of title 78 of the Revised Civil Statutes as refer to public free schools outside of cities and towns assuming or having assumed control of their public free schools, and all laws and parts of laws in conflict with this act, passed at the special session of the Eighteenth Legislature, which was presented to the Governor of his signature the sixth day of February, 1884, and became a law without his approval.

Referred to Committee on Education.

The President announced the pending business again before the Senate.

Senator Claiborne yielded the floor again, and

On motion of Senator Abercrombie, House bill No. 7, a bill to be entitled "An act to amend sections 7, 14, 15, 23 and 33 of the charter of the City of Houston," was laid before the Senate.

The bill was read the third time and passed by the following vote:

YEAS—23.

Abercrombie,	Jarvis,
Allen,	Johnson,
Armistead,	Lane,
Atlee,	Maetze,
Burges,	Morris
Burney,	Pope,
Claiborne,	Seale,
Cranford,	Simkins,
Davis,	Stephens,
Field,	Upshaw,
Frank,	Woodward.
Ingram,	

NAYS—None.

By leave, Senator Seale sent up a petition five feet long from citizens of Orange county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

(Senator Upshaw in the chair.)

Senator Claiborne resumed the floor and made an extended argument in favor of the railway commission bill, and in favor of Senator Johnson's motion to substitute the House bill for the Senate bill.

Pending the argument,

The following message was received from the House:

HOUSE OF REPRESENTATIVES, AUSTIN, March 4, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the House has concurred in the Senate amendment to House bill No. 310, a bill to be entitled "An act for the relief of settlers upon the Milam county school lands located in Hood county and to make an appropriation therefor," by a two-thirds vote, there being yeas, 86; nays, none.

W. M. IMBODEN,
Chief Clerk House of Representatives.

(The President in the chair.)

Senator Claiborne closed his argument, and

Senator Pope asked to have read the following telegram:

WASHINGTON, March 4, 1889.

To Hon. Texas Senate, Austin, Tex.

Benjamin Harrison was inaugurated President at high noon to-day. This is a calamity to our people. For God's sake don't visit us with another in shape of railroad commission.

A FRIEND
of Texas.

After having publicly read their titles, the President gave notice of signing and did sign in open session of the Senate.

Substitute House bills Nos. 474 and 478, "An act extending for ten years the payment of the principal of the purchase money for lands purchased under the two acts of the Legislature herein named."

House bill 557, "An act supplemental to and amendatory of an act passed at the present session of the Twenty-first Legislature, approved February 15, 1889, entitled an act to designate what counties shall compose the Twenty-ninth judicial district of the State of Texas, and to fix the times of holding court therein, approved March 30, 1887."

Senator Morris spoke in opposition to the railway commission bill and Senator Maetze spoke in favor of it.

On motion of Senator Burney,

The Senate adjourned till 10 o'clock to-morrow morning.

FORTY-SIXTH DAY.

SENATE CHAMBER,
AUSTIN March 1, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Woodward,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Woodward, Senator Abercrombie was excused till next Monday on account of illness in his family.

On motion of Senator Ingram, A. J. Dorn, the Doorkeeper was excused for yesterday and to-day on account of important business.

PETITIONS AND MEMORIALS.

By Senator Jarvis:

Petition of citizens of Jack county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Atlee:

Petition of citizens of Nueces county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Seale:

Petition of eighteen citizens of Hardin county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of seventeen citizens of Tyler county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

By Senator Meitze:

Petition of fifty citizens of Washington county, opposing a railroad commission.

Referred to the Committee on Internal Improvement.

By Senator Lane:

Petition of citizens of Paige, Bastrop county, to Senate and House of Representatives.

Referred to the Committee on Internal Improvements.

By Senator Woodward:

Memorial of the New York, Texas and Mexican railway company, praying for the issuance of certificates for four hundred and sixteen sections of land for the construction and equipment of twenty-six miles of their road prior to the act of April 1, 1882, repealing the law authorizing certificates to be issued to railroad companies.

Referred to Committee on Public Lands.

By Senator Stephens:

Petition of citizens of Archer county, opposing a railroad commission.

Referred to Committee on Internal Improvements.

Petition of citizens of Montague county, asking the passage of a law to permit lands sold for taxes and bought in by the State to be redeemed by the owner by paying amount of taxes and interest thereon.

Referred to Committee on Public Lands.

Petition of citizens of Childress county, praying for the passage of the school land excess bill.

Referred to Committee on Public Lands.

By Senator McDonald:

Protest of five citizens of Fannin county, opposing a railroad commission.

Referred to Committee on Internal Improvements.